

REMARKS/ARGUMENTS

In view of the amendments and following remarks, Applicant respectfully requests reconsideration and allowance of the pending claims. Claims 1-20 are pending. In response to the Office Action, independent Claims 1, 6, 8, and 10 and dependent Claims 4 and 13-15 have been amended. Claims 19 and 20 have been added. It is believed that the pending claims define patentable subject matter over the reference cited and notice to such effect is requested at the Examiner's earliest convenience.

Claim Rejections - 35 U.S.C. §112, ¶ 2

The Examiner rejects Claims 4 and 13-15 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Namely, the Examiner finds that Claims 4 and 13-15 set forth a double recitation of a suspending sleeve. In response, Applicant has amended Claims 4 and 13-15 to recite that the sleeve comprises a tab stop suspending sleeve for suspending the window treatment in front of the window opening. Therefore, Applicant submits that the rejection under § 112 is overcome.

Claim Rejections - 35 U.S.C. §§102(b) and 103(a)

The Examiner rejects Claims 1-9, 11-14, 16, and 17 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,671,508 to Gordon ("Gordon"). More specifically, Examiner has indicated that "Gordon" discloses a raisable window treatment (10) comprising rows of ties (11, 13), rows of openings (14), and a top tab (6). The Examiner also rejects Claims 10, 15, and 18 under 35 U.S.C. §103(a) as being obvious over Gordon.

In Applicant's previous response, independent Claims 1, 6, 8, and 10 were amended to recite that the window treatment includes a sleeve positioned at or near the top of the panel, wherein the sleeve comprises one or more sections extending laterally along at or near the top of the panel to enable insertion of a rod through the sleeve for installing and suspending the panel. The Examiner contends that the top edge (6) of Gordon is a "sleeve." However, Gordon discloses that:

A binding or tape 16 appears along the edges 5, 6, 7, 8 of the fabric drapery, and is stitched thereto. Preferably the top edge 6 is made in the form of a hem (the material folded over and under, whereas the bottom edge 8 and the side edges 5, 7 are bound by tape. This is preferred because the top may be seen in some cases when the folded valance is hung on the window while the bottom is concealed. Col. 3, lines 33-41.

As such, Gordon does not teach or suggest that the top edge includes a sleeve as recited by the claimed invention. In contrast, the top edge of Gordon is a tape or hem that is not configured to receive a rod therethrough. Gordon discloses that the drapery is hung over a window by hanging the drapery over brackets or nails fastened to a window frame (see FIG. 2; col. 3, lines 59-60). Therefore, Gordon does not teach or suggest a sleeve positioned at or near the top of the panel, as recited by independent Claims 1, 6, 8, and 10.

Despite the distinctions discussed above, independent Claims 1, 6, 8, and 10 have been amended to further distinguish Gordon. In particular, Claim 1 has been amended to recite that each of the openings of the one row of openings is aligned along a common vertical axis with a respective tie of each of the multiple rows of ties. Similarly, Claim 6 has been amended to recite that each of the ties of the one row of ties is aligned along a common vertical axis with a respective opening of each of the multiple rows of openings. Thus, as shown in FIGS. 2 and 5 of the present application, for example, the lower portion of the window treatment may be uniformly raised by fastening respective rows of ties and openings.

In contrast, Gordon does not teach or suggest that the tie cords (11, 13) are aligned with the eyelets (14) along a common vertical axis. In fact, Gordon discloses that:

On opposite sides of the transverse center dot-and-dash line 12 and symmetrically with respect thereto, are positioned pairs of eyelets 14 positioned on two curved lines which bow in or curve toward each other. The angle of curvature of the lines is rather slight. Although the lines on which the eyelets are shown are curved, each of these lines, if desired, may comprise two straight lines joined end-to-end and forming a bend or junction somewhere near the longitudinal center of the fabric, as described in more detail hereinafter. The angle of bend or curvature may vary depending upon the desired style and depth of the finished valance. Col. 3, lines 3-17 (emphasis added).

Therefore, Gordon clearly discloses that the eyelets are located along an angular bend or a curvature and are not aligned along a common axis with one another or with each of the tie cords.

Accordingly, Gordon does not teach or suggest having each opening of a row of openings aligned

along a common vertical axis with a respective tie of each of multiple rows of ties, or each tie of a row of ties aligned along a common vertical axis with a respective opening of each of multiple rows of openings, as recited by independent Claims 1 and 6, respectively.

Moreover, independent Claims 8 and 10 have been amended to further distinguish Gordon. Claim 8 has been amended to recite that each opening of the three rows of openings is positioned below each of the ties of the single row of ties, and Claim 10 has been amended to recite that each tie of the three rows of ties is positioned below each of the openings of the single row of openings. For example, the embodiment of FIG. 4 shows that all of the openings are located below all of the ties.

Conversely, Gordon discloses “[a] pair of tie cords **11** and **13** are secured to the top and bottom edges of the drapery on the curved line on which the eyelets fall” (col. 3, lines 42-44). As discussed above, the eyelets extend along a curve or bend, and the tie cords are threaded through respective eyelets such that tightening the cords results in forming pleats or folds in the drapery. Thus, Gordon does not teach or suggest that each opening is located below each tie, as recited by independent Claim 8, or that each tie is located below each opening, as recited by independent Claim 10. In addition, there is no teaching or suggestion to modify the arrangement of tie cords and eyelets of Gordon to have a configuration recited by Claims 8 and 10, as such a modification may adversely affect the formation of pleats and folds disclosed by Gordon.

Thus, for at least the reasons stated above, Applicant respectfully submits that the recitations of independent Claims 1, 6, 8 and 10 are patentably distinct from Gordon and that the rejections under §§102(b) and 103(a) are overcome. In addition, the pending Claims 2-20 depend from one of Claims 1, 6, 8, and 10 and are patentably distinct from Gordon for at least the same reasons stated above.

CONCLUSION

In conclusion, Gordon does not disclose or suggest the claimed invention. Accordingly, in view of the above differences between the Applicant's invention and the cited reference, Applicant submits that the pending claims are patentable over the reference cited in the Office Action. As such, for the reasons set forth above, the pending claims are believed to be in condition for immediate allowance and notice to such effect is respectfully requested at the Examiner's earliest opportunity.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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